



San Marcos
City Council Action Agenda
Regular Meeting
City Council Chambers
Tuesday, April 3, 2012

Agenda #	Agenda Caption	Action
1.	Call to Order	5:00 p.m.
2.	Roll Call	Mayor and all Council Present, excluding Council Member Becak (absent)
3.	5:00PM Executive Session in accordance with §551.087 – Economic Development: to discuss the development of Class A Medical Office Space, and to deliberate possible housing and relocation incentives to induce the expansion of a business located in North Central San Marcos.	Motion to convene into Executive Session Vote: 6 for and 0 opposed (Wayne Becak absent)
4.	Consider adoption or direction to Staff on matters discussed in Executive Session.	Direction was given to staff during Executive Session.
5.	COUNCIL MEMBER UPDATES: Receive status reports and updates from the Mayor and/or Council Members and a general discussion regarding the following: Council Member Porterfield: Updates regarding Lone Star Rail, CAPCOG Executive Committee and the Youth Master Plan	Brief update on Lone Star Rail, Capital Area Council of Government (CAPCOG), and youth master plan.
6.	Receive a Staff presentation regarding the City Council Initiative of " <i>Customer Friendly Processes</i> ," and provide direction to staff.	Update given by Development Services Director Matt Lewis, Assistant Director of Development Services Kristy Stark and Human Resources Director Ron Campos.
7.	Receive a Staff presentation regarding the Level of Service project, and provide direction to Staff.	City Manager Jim Nuse provided a brief update on the Level of Service Project.
8.	Invocation	Ahmad Jundi & Clay Chip Smith, of the San Marcos Mosque
9.	Pledges of Allegiance – United State and Texas	Pledges were led by Council Member Thomaides and Council Member Porterfield
10.	30 Minute Citizen Comment Period	Speakers who signed up and item they spoke on: 1. Michelle Darling



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		<ul style="list-style-type: none"> 2. Louise Ruiz Jones 3. Jason Howell, item 21 4. Sherwood Bishop, item 5. Gaylord Bose, item 21 6. Melissa Derrick, item 21 & 22 7. Stewart Dale Spencer, item 21 8. Maxfield Baker, item 21 9. Jay Hiebert, item 20 10. Monica De La Rosa, item 20 11. Lisa Marie Coppoletta, item 21 12. Daniel Scales, Item 21 13. Greg Clayton, item 21 14. Brian Simner, item 21 15. Dianne Wassenich, item 7,13,20,21, and 22
11.	Consider approval of the March 20, 2012 Regular Meeting Minutes.	Adopted on Consent Vote: 6 for and 0 opposed (Wayne Becak Absent)
12.	Consider approval of Ordinance 2012-15, on the second of two readings, amending the Electric Utility Rules and Regulations established under Chapter 86, Article 4, Section 86.166; and including procedural provisions.	Adopted on Consent Vote: 6 for and 0 opposed (Wayne Becak Absent)
13.	Consider approval of Ordinance 2012-19, on the second of two readings, approving an amendment to the City's Land Development Code to establish a minimum period between the recommendation of the Planning and Zoning Commission regarding a Zoning Map Amendment, and consideration by the City Council of that Amendment; including procedural provisions.	Adopted on Consent Vote: 6 for and 0 opposed (Wayne Becak Absent)
14.	Consider approval of Ordinance 2012-20, on the second of two readings, amending the City's 2011-2012 Budget to authorize the expenditure of State Asset Forfeiture Funds in the amount of \$38,416.38 to outfit new police patrol vehicles; and providing an effective date.	Adopted on Consent Vote: 6 for and 0 opposed (Wayne Becak Absent)
15.	Consider approval of Ordinance 2012-21, on the second of two readings, amending Section 14.372 (a) of the San Marcos City Code to exempt Homeowners from the requirement to have a local Contractor's License when the owner uses other persons to perform construction work in or on the Homeowner's existing residence; including procedural provisions; and declaring an effective date.	Adopted on Consent Vote: 6 for and 0 opposed (Wayne Becak Absent)
16.	Consider approval of Resolution 2012-22R authorizing the submission of a grant application for a Federal Emergency Management Agency ("FEMA") Department of Homeland Security Assistance to Firefighters Staffing for Adequate Fire and Emergency Response ("SAFER") Grant in the amount of \$858,732.00 for the addition of seven full-time Firefighters; authorizing the City Manager to act in all matters related to the grant application on	Pulled from Consent Agenda to be discussed. Fire Chief Les Stephens provided a brief presentation. Adopted on Consent Vote: 5 for and 1 opposed (Council Member Thomaides (Wayne Becak Absent)



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	behalf of the City; and declaring an effective date.	
17.	Consider approval of Resolution 2012-27R approving the purchase of three pickup trucks from Griffith Ford San Marcos in the total amount of \$145,676.56 for the Public Services Department, Water/Wastewater Division; authorizing the Purchasing Manager to execute the appropriate purchasing documents on behalf of the City and declaring an effective date.	Amendment to purchase 4 pickup trucks (dollar amount not changed) Adopted on Consent Vote: 6 for and 0 opposed (Wayne Becak Absent)
18.	Consider approval Resolution 2012-28R requesting a private sale of property described as part of Lot 8, Block 12, D.S.Combs Addition (Tax Account No. R24712) acquired by the City of San Marcos, Texas in trust for itself, San Marcos Consolidated Independent School District, and Hays County, Texas at a delinquent tax sale; and declaring an effective date.	Motion to approve followed by a Motion to deny Vote: 6 for and 0 opposed (Wayne Becak Absent)
19.	7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2012-16 continuing Ordinance 2009-28 which established curfew hours for minors (younger than 17 years of age) under Section 54.076 <i>et seq.</i> of the San Marcos City Code; and declaring an effective date; and consider Ordinance 2012-16, on the second of two readings.	Mayor Guerrero opened the Public Hearing No Comments were heard Public Hearing Closed Motion to approve Vote: 6 for and 0 opposed (Council Member Becak absent)
19.1	7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2012-30R approving the issuance of a Luxury Limousine Service Certificate to John Boyd and Ceasar Torres d/b/a Rock Star Limo, for the provision of luxury limousine services in the city; and declaring an effective date; and consider approval of Resolution 2012-30R.	Mayor Guerrero opened the Public Hearing John Boyd spoke on behalf of Rock Star Limo Public Hearing Closed Motion to approve Vote: 6 for and 0 opposed (Council Member Becak absent)
20.	Reconsider Ordinance 2012-13, related to the Hillside Ranch Phase Two Development, approving an amendment to the Future Land Use Map of the City from "LDR" Low Density Residential to "MDR" Medium Density Residential for 10.925 acres of land, more or less, out of the Thomas J. Chambers survey and located at 1410 North LBJ; amending the Official Zoning Map of the City by rezoning said tract of land from "SF-6" Single-Family Residential District to "PDD" Planned Development District with base zoning of "MF-12" Multiple-Family Residential District; approving Planned Development District standards for the District; including	No reconsideration was given



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	procedural provisions; and providing for penalties.	
21.	<p>Consider approval of Ordinance 2012-17, on the second of two readings, amending Chapter 58 – Public Facilities, Parks and Recreation, Article 2 – Parks, by amending Section 58.026 by amending the definitions of All-Terrain Vehicle, Weapon, and Wildlife and adding definitions for Natural Green Space and Styrofoam, adding Section 58.027 -Applicability of Park Ordinances in Natural Green Space, amending Section 58.028 – designating the office where the schedule of fees will be maintained, amending Section 58.030 – Prohibiting Disruptive Conduct, amending Section 58.031 -Care and Custody of Minor Children, amending Section 58.032 – Regulating Motor Vehicles, amending Section 58.033 -Prohibiting Display or Consumption of Alcoholic Beverages in Certain Parks, amending Section 58.035 by adding Sec. 58.035(b) -Prohibiting Smoking and Chewing Tobacco in Play Areas and Athletic Fields, amending Sec. 58.039 -Miscellaneous Rules, amending Section 58.040 – Animals, adding Section 58.041 - Authorizing the Director to Regulate Barbeque Pits, Containers or Other Cooking Appliances, adding Section 58.042 -Prohibiting Styrofoam Products, amending Chapter 58 – Public Facilities, Parks and Recreation, by amending Article 3 – Water Activities, by amending Section 58.068 -Prohibiting Possession of or Shooting Spear Guns in the San Marcos River without a permit, amending Section 58.071 -Activities on Dams, by Prohibiting the Storage, Sale, Consumption, or Display of Alcoholic Beverages on any Dam, Spillway Control, Levy, Bridge, Water Feature or Structure in the San Marcos River Owned or Operated by the City, adding Section 58.073 -Requiring the Securing of Lids and Covers to Containers; including procedural provisions; and providing penalties.</p>	<p>Motion to Postpone Vote: 6 for and 0 opposed (Council Member Becak absent)</p> <p>Motion to reconsider Vote: 4 for and 0 opposed (Council Member Scott and Prather)</p> <p>Motion to postpone until the first meeting in May Vote: 6 for and 0 opposed (Council Member Becak absent)</p>
22.	<p>Consider approval of Ordinance 2012-18, on the first of two readings, amending Section 1.5.1.4 of the San Marcos Land Development Code to prohibit modification of the boundaries of property described in a petition for a Zoning Map Amendment after a written protest petition requiring a super-majority vote of the City Council has been submitted; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.</p>	<p>Motion to approve Vote: 6 for and 0 opposed (Council Member Becak absent)</p>
23.	<p>Consider approval of Ordinance 2012-22, on the first of two readings, amending the City’s 2011/2012 budget to authorize the expenditure of funds in the amount of \$50,000.00 for the remediation and demolition of unsafe structures in the City; and providing an effective date.</p>	<p>Vote: 6 for and 0 opposed (Council Member Becak absent)</p>



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24.	Consider approval of Resolution 2012-29R an Economic Development Incentive Agreement between the City of San Marcos and HEB Grocery Company, L.P. pursuant to Section 1.4.4.1 of the Land Development Code that increases the impervious cover limits for the HEB Grocery Store at 641 East Hopkins Street under Section 4.1.6.1 of the Land Development Code from 83 percent to up to 87 percent of the gross area of the property; authorizing the City Manager to execute this agreement on behalf of the City; and declaring an effective date.	Vote: 6 for and 0 opposed (Council Member Becak absent)
25.	Discuss and consider the appointment of a Hays County Representative to the Comprehensive Plan Steering Committee and appointments to the Comprehensive Plan Citizens' Advisory Committee, and provide direction to Staff.	Motion to appoint Commissioner Debbie Gonzales Ingalsbee to the Steering Committee Vote: 6 for and 0 opposed (Council Member Becak absent)
26.	Discuss and consider an appointment to fill a vacancy on the Human Services Advisory Board, and provide direction to Staff.	Motion to appoint David Ross Vote: 6 for and 0 opposed (Council Member Becak absent)
27.	Discussion regarding Boards and Commissions term expiration dates in the City Code vs. current practice, and provide direction to Staff.	Direction given to staff: Nominations will be made in January Appointments will be made in February Term Start Dates will be March 1 st Term End Dates will be February 28 th
28.	Hold discussion to determine whether to adjust the fees authorized by Ordinance for Non-Consent Tows and Police Impound Tows; discuss current towing practices, and provide direction to Staff.	Motion to Postpone to a future meeting Vote: 6 for and 0 opposed (Council Member Becak absent)
29.	Question and Answer Session with Press and Public. <i>This is an opportunity for the Press and Public to ask questions related to items on this agenda.</i>	No comments were heard.
30.	Adjournment.	Motion to adjourn Vote: 6 for and 0 opposed (Council Member Becak absent) Adjourned at 10:23 p.m.